

permanent infection of the respiratory tract, and thence to tuberculosis, generally pulmonary or tracheal * * * lives could be saved if in due time any attack of catarrh, grippe, bronchitis or any other morbid affection in our respiratory tract should be duly treated. The Pechodina de Henn is by its * * * curative * * * properties * * * the ideal medicine for treating from their beginning, catarrh, grippe, whooping cough, asthma, bronchitis, likewise incipient tuberculosis. It is also useful in advanced cases of tuberculosis, which the action of an agent of positive value * * * to the treatment of organic defense required by such disease," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 18, 1929, the Porto Rican American Drug Co. (Inc.), of Ponce, P. R., claimant, having admitted the allegations of the libel and having consented to entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of costs and the execution of a bond in the sum of \$200, continued in part that it be properly relabeled as required by law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16600. Misbranding of Klein's cold and grippe capsules. U. S. v. 5 Dozen Packages of Klein's Cold and Grippe Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23404. I. S. No. 03608. S. No. 1555.)

On February 15, 1929, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 dozen packages of Klein's cold and grippe capsules, remaining in the original unbroken packages at Newark, N. J., alleging that the article had been shipped by Brewer & Co., Worcester, Mass., on or about December 24, 1928, and transported from the State of Massachusetts into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained acetanilide, cinchona alkaloids, phenolphthalein, aloin, sugar, and starch.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, borne on the labels, (bottle) "Grippe Capsules * * * One capsule every three hours until the ailment is relieved," (carton) "Grippe Capsules * * * For La Grippe * * * One capsule every three hours until the ailment is relieved * * * Chills * * * Malarial Troubles," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 15, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*